

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SHANE MICHAEL SANDOVAL,

Case No. 2:19-cv-00180-RFB-VCF

Plaintiff,

V.

DRYBAR HOLDINGS, LLC., et al.,

Defendants.

ORDER

Before the Court for consideration is the Report and Recommendation [ECF No. 37] of the Honorable Cam Ferenbach, United States Magistrate Judge, entered May 3, 2019.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is required to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct “any review,” de novo or otherwise, of the report and recommendations of a magistrate judge. Thomas v. Arn, 474 U.S. 140, 149 (1985). Pursuant to Local Rule IB 3-2(a), objections were due by May 17, 2019. No objections have been filed. The Court has reviewed the record in this case and concurs with the Magistrate Judge’s recommendations.

1 **IT IS THEREFORE ORDERED** that the Amended Report and Recommendation [ECF
2 No. 37] is ACCEPTED and ADOPTED in full.

3 **IT IS ORDERED** that Defendants' Motion to Strike Plaintiff's Complaint (ECF No. 25)
4 is GRANTED WITH LEAVE TO AMEND as to Paragraphs 2 and 20.

5 **IT IS FURTHER ORDERED** that Defendants' Motion to Strike Plaintiff's Complaint
6 (ECF No. 25) is GRANTED WITH PREJUDICE as to Paragraphs 25 and 29. The following
7 phrases should be removed from the paragraphs:

8 Paragraph 25: "was forced to resign (purportedly because she was pregnant)" should be
9 replaced by "resigned."

10 Paragraph 29: "Campbell was typically drinking at the shop's bar most days she was there
11 and even purportedly admitted to other employees she had been reprimanded not to drink on the
12 job" should be removed.

13 **IT IS FURTHER ORDERED** that, the Court accept this Report and Recommendation,
14 the Court order Plaintiff to file an amended complaint prepared in accordance with this Report
15 and Recommendation within two weeks of the order's issuance.

16 DATED: July 11, 2019.



RICHARD F. BOULWARE, II
United States District Judge